



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Springer *et al.*

Appl. No. 09/722,495

Filed: November 28, 2000

For: **Analogs of Human Basic
Fibroblast Growth Factor
Mutated at One or More of the
Positions Glutamate 89, Aspartate
101 or Leucine 137**

Confirmation No. 5579

Art Unit: 1647

Examiner: Saoud, C. J.

Atty. Docket: 1503.0220002/JAG/THN

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Communication to Primary Examiner

Commissioner for Patents
Washington, D.C. 20231

Sir:

Further to the Amendment and Reply Under 37 C.F.R. § 1.111 and Submission of Substitute Sequence Listing Under 37 C.F.R. § 1.825(a) filed on August 21, 2002, Applicants hereby submit Terminal Disclaimer to Obviate a Double Patenting Rejection Over a Prior Patent referred to on page 24 of the Amendment but was inadvertently not filed along with the Amendment. The Terminal Disclaimer fee under 37 C.F.R. § 1.20(d) of \$55.00 is also submitted herewith.

It is not believed that extensions of time are required beyond those that were provided on August 21, 2002. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Respectfully submitted.

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

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Date: Aug. 26, 2002

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